

REMARKS

Claims 21-35 are currently pending in the application. Figures 4, 5, and 13 have been amended to add reference numerals to subject matter depicted in the original figures. The specification has been amended to further correct minor editorial errors. Claim 22 has been amended to provide proper antecedent basis, and claims 21, 25, and 30 have been amended to recite a feature shown in Figures 1, 3, 4, and 5. Consequently no new matter has been added. Support for the specification and drawing amendments are discussed below. Reconsideration and withdrawal of all pending objections and rejections in view of the above amendments and following remarks is respectfully requested.

Objection to Drawings

Figures 4 and 5 are objected to as not being properly labeled. This objection has been mooted by amendment of Figures 4 and 5 to include proper labels.

The drawings are objected to as failing to comply with 37 C.F.R. 1.84 (p)(5) because they include the following reference character(s) not mentioned in the description: Figure 5 (501, 506, and 511), and Figure 11a (907 and 908). This objection is rendered moot by amendment of the specification to recite reference numerals 907, and 908, and amendment of Figure 5 to remove reference numeral 501. Applicants respectfully note that reference numerals 506 and 511 were recited at page 9 of the specification as originally filed.

The drawings are objected to as failing to comply with 37 C.F.R. 1.85(p)(4) because reference characters 50, 52, and 54 have been used to designate different parts in Figure 2 and Figure 13. This objection has been mooted by the amendment of Figure 13 to substitute reference numerals 70, 72, and 74 for reference numerals 50, 53, and 54, respectively.

In view of the above amendments, withdrawal of all pending drawing objections is respectfully requested.

35 U.S.C. §112 Rejection, Second Paragraph

Claim 22 is rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claim 22 is rejected because there is insufficient antecedent basis for the feature “said selecting at least one summary frame” in line 2.

This rejection has been mooted by the amendment of claim 22 to delete the phrase “said selecting” in lines 1 and 2. As a result of this amendment, the features recited in claim 22 now have proper antecedent basis. Accordingly, withdrawal of the rejection of claim 22 is respectfully requested.

35 U.S.C. § 102 Rejection

Claims 21, 23-24, 30, 32, and 34-35 are rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 6,732,369 to Schein, *et al.* (“Schein”). This rejection is respectfully traversed.

The claimed invention discloses a system for placing summary frames into a currently playing video program that is displayed full-screen. The summary frames depict either past or future scenes from the video program so that a view can get a quick overview of the video program. As explained on page 5 and shown in Figure 1, the summary frames depict key scenes from the past which aid the viewer in quickly ascertaining the current plot or theme of the video program. Hence, when a channel surfer arrives at a new channel, rather than only having what is currently playing to catch the eye, summary frames are also available to catch the surfer’s attention and aid in understanding the programming and perhaps hold the viewer’s attention long enough to keep him or her from immediately changing the channel.

The Examiner argues that Schein discloses all the features of independent claims 21 and 30, and their dependent claims referenced above. The claims recite that the video program in progress is displayed full-screen, not in a program window as taught by Schein at Figure 16 (526 and 528), and Col. 22, lines 50-56. As now presented, the claims are believed to make this distinction clear. For example, claim 21 now recites:

a display screen for viewing a full-screen display of a video
program in progress; and

Similarly, independent claim 30 has been amended to recite:

displaying said video program and said summary frames on a screen at a same time with said video programs when a viewer selects said video program, wherein said video program is displayed full-screen.

The above highlighted features are not taught or suggested by the prior art of record. For example, Schein discloses a display screen for viewing:

- i) a program guide (having components 512, 516, 520, 532, 506, 522, 508, 510, and 524),
- ii) a promotional / preview window 528, and
- iii) a current program window 526.

As the Examiner notes, the program window 526 displays the current program. The preview window 528, which is separate from and does not overlap the program window 526, displays either an advertisement or a short preview of a show that is currently being highlighted.

Contrary to the claimed invention, however, Schein's video program is not shown full-screen because the program guide consumes most of the available display area. The preview window 528 does not overlap the program window 526 because the program window has a small viewing area. This arrangement has nothing to do with displaying a summary frame and a full-screen video program at the same time as claimed.

Thus, Schein's disclosure does not teach the claimed invention, and claims 21 and 25 are allowable over Schein. Claims 23-24 are allowable based on their dependencies from allowable base claim 21. Claims 32 and 34-35 are allowable based on their dependencies from allowable base claim 30. Applicants therefore respectfully request withdrawal of the rejection of claims 21, 23-24, 30, 32, and 34-35.

35 U.S.C. § 103 Rejection

Claims 22, 25-29, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of U. S. Patent No. 5,815,145 to Mathews, III ("Mathews"). Claim 33 is

rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of U. S. Patent No. 5,926,230 to Nijima, *et al.* (“Nijima”). These rejections are respectfully traversed.

Claims 25-29

The rejection of claim 25 has been mooted by amendment of claim 25 to recite a feature not disclosed or suggested by Schein or Matthews, alone or in combination. For example claim 25, as amended recites:

a display screen for viewing a full-screen display of a video program;

As noted above, Schein does not disclose or suggest the above highlighted feature. Additionally, the highlighted feature is not taught or suggested by Matthews. Instead, Matthews discloses a program guide (100) which lists programming that is currently available. As indicated by Figure 4 and described at Col. 4, lines 43-61, the programming guide (100), comprised of a plurality of programming tiles 102, is displayed full-screen, rendering it impossible to simultaneously display a video program full-screen with a summary frame, as claimed. Accordingly, claim 25 is distinguishable over Matthews and Schein, whether alone or in combination. Claims 24-29 are allowable based on their dependencies from allowable base claim 25. Applicants therefore respectfully request withdrawal of the rejection of claims 25-29.

Claims 22 and 31

Claims 22 and 31 are allowable based on their dependencies from allowable base claims 21 and 30, respectively, which recite that the current video program is displayed full-screen. As mentioned above, nothing in Matthews or Schein discloses or suggests this feature. Accordingly, withdrawal of the rejection of claims 22 and 31 is respectfully requested.

Claim 33

Claim 33 is allowable over the prior art of record based on its dependency from independent claim 30, which recites that a video program in progress is displayed full-screen at the same time as a summary window is displayed. Schein does not disclose this feature. Nijima, like Matthews, discloses a program guide (Figures 5, 7, and 9) that consumes the

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entirety of the display screen, leaving no room for a video program to be displayed except in small preview windows. Such a program guide has nothing to do with placing summary frames in a video program that is displayed full-screen, as claimed. Accordingly, withdrawal of the rejection of claim 33 is respectfully requested.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the objections and rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **Deposit Account No. 50-0510** (Yorktown).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a stylized, flowing script.

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REPLACEMENT DRAWINGS

Attached hereto are replacement drawings for Figures 4, 5, and 13, without any markings. The changes to the drawings are explained below, in the "REMARKS" section. All of the drawings on the replacement sheet, as originally filed, are provided herein. The header of each revised drawing sheet includes the following information: (i) "Replacement Sheet", (ii) application number, and (iii) date information.

The amendments to the Figures consist of properly labeling Figures 4 and 5, and changing the reference numerals 50, 52, and 54 in Figure 13 to reference numerals 70, 72, and 74, respectively. Thus, no new matter is added.